

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION

J. O. HOUSE
and HEATH & HOUSE
CONSTRUCTION CO., INC.,

Plaintiffs,

vs.

CONSECO INSURANCE GROUP,

Defendant.

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No. 3:06cv0067 SWW

ORDER

Plaintiffs' motion for voluntary dismissal without prejudice [doc.#144] has been considered by the Court and is hereby granted pursuant to Fed.R.Civ.P. 41(a)(2). As a condition to refiling this action, plaintiffs will be required to reimburse defendant any reasonable costs it will incur in having to duplicate matters from this action.

IT IS SO ORDERED this 5th day of January 2009.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE